



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMK:AES
F. #2014R00501

*271 Cadman Plaza East
Brooklyn, New York 11201*

June 8, 2017

By ECF and FedEx

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Re: United States v. Martin Shkreli
United States v. Evan Greebel
Criminal Docket No. 15-637 (KAM)

Dear Counsel:

In accordance with Rule 16 of the Federal Rules of Criminal Procedure, the government hereby furnishes discovery with respect to the above-referenced matter. This disclosure supplements the government's earlier disclosure under cover of letters dated December 22, 2015, January 15, 2016, March 16, 2016 (Greebel), March 25, 2016 (Shkreli), April 28, 2016, June 2, 2016, June 15, 2016, July 19, 2016, August 5, 2016, September 22, 2016, December 14, 2016, February 8, 2017 and April 19, 2017, May 20, 2017 and June 2, 2017. In addition, this disclosure is governed by the stipulations so ordered by the Court between the government and defendants (filed as Dkt. Nos. 44 and 47).

Enclosed is a DVD with the following materials:

| Description | Bates Range or File Name | Additional Information |
|--|--------------------------------|---|
| Documents received from the Securities and Exchange Commission ("SEC") | SHKRELI000358 to SHKRELI000951 | The folder Bates-stamped SHKRELI000359 contains the attachments to the email that is Bates-stamped SHKRELI000358. The government is reproducing these two documents (originally referenced in the June 2, 2017 discovery letter) because the documents did not properly burn to the DVDs provided to the defendants on that date. |

| Description | Bates Range or File Name | Additional Information |
|--|---|---|
| Documents received from Brafman & Associates (originally produced by Katten) | BA_092478 to BA_150621 | These documents were provided to the government by Shkreli; as such, they are only being produced to Greebel. These documents were originally produced to Shkreli by Katten Muchin Rosenman LP (“Katten”), and are related to Katten’s representation of the MSMB entities. It is the government’s understanding that Greebel also received copies of at least some of these documents directly from Katten; however, because the government does not have a log of documents provided by Katten to the defendants, the government is re-producing these documents to Greebel out of an abundance of caution. |
| Documents received from Retrophin | R057611-R0577121 | N/A |
| Documents received from Retrophin (originally produced by Katten) | R0577122-R168695, as well as various BA_ Bates ranges | These documents, which are related to Katten’s representation of Retrophin, were produced by Retrophin to the government as a result of the back-and-forth between Shkreli and Retrophin about the scope of Retrophin’s privilege waiver. It is the government’s understanding that these documents were initially produced to Shkreli by Katten, and were also produced by Katten to Greebel. However, because the government does not have a log of documents produced by Katten to the defendants, the government is re-producing these documents to both defendants out of an abundance of caution. |
| Documents received from Retrophin | R168696-R168815 | These documents were previously produced by Retrophin with certain redactions. In light of Retrophin’s expanded privilege waiver, Retrophin has re-produced these documents without redactions. |

Please note that these materials are encrypted; the government will provide passwords under separate cover.

Very truly yours,

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Enclosure

cc: Clerk of the Court (KAM) (via ECF) (w/o enclosure)